

REMARKS/ARGUMENTS

Claims 1-48 and 58-61 are pending in the application. Claims 1-48 and 58-61 have been rejected. No new matter has been introduced into the application. As explained in more detail below, Applicant submits that all claims are in condition for allowance and respectfully request such action.

Claim Rejections – 35 USC § 103

Claims 1-48 and 58-61 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tracton, et al. (U.S. Pat. No. 6,470,378) in view of del Val, et al. (U.S. Pat. No. 6,128,653) and Hallberg (U.S. Pat. No. 6,658,199).

In the Response dated August 2, 2006, Applicant submitted a Declaration under 37 C.F.R. §1.131 to demonstrate conception coupled with diligence from before September 21, 1999 (21.09.1999) until the filing of the above-captioned patent application on December 28, 1999. In the Office Action dated October 31, 2006, the Examiner alleges that the Declaration does not have “drawings, records, correspondence etc, which show the content of the current application in order to establish a constructive reduction to practice or an actual reduction to practice.” Office Action dated 10/31/2006 at page 3.

To expedite prosecution, Applicants concurrently submit along with this Response a Declaration under 37 C.F.R. §1.131 that demonstrates conception coupled with diligence from before September 21, 1999 (21.09.1999) until the filing of the above-captioned patent application on December 28, 1999. The Declaration comprises relevant portions of the internal invention report showing recited elements of the claimed embodiments and correspondence between Nokia and patent attorneys during the diligent preparation of the application. Applicants, therefore submit the attached Declaration and accompanying Exhibits adequately

demonstrate conception coupled with diligence from before September 21, 1999 until filing of the application. Because September 21, 1999 is before the effective date of *Hallberg*, the Applicant respectfully requests reconsideration and withdrawal of the rejection.

Furthermore, as discussed in the previous responses and Office Actions, *Tracton* “is silent regarding any functionality, which lets a user navigate a video stream, adjust presentation characteristics and bit rates.” See, e.g., Office Action dated April 5, 2006, page 2. Therefore, combining the HTTP video manipulation commands of *del Val* which allow a user to re-watch part of an MPEG segment they were interested in with the automatic determination of data-streams of *Tracton* does not produce the subject matter of the rejected claims.

CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

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Dated: January 31, 2007

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